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OFFICE OF PETITIONS

In re Application of
Hunter-Cevera, et al
Application No. 10/067,613
Filed: 4 February, 2002
Attorney Docket No. 014939-001600US

: DECISION GRANTING
: STATUS UNDER
: 37 C.F.R. §1.47(a)
:

This is a decision on the submission treated as a petition under 37 C.F.R. §1.47(a),¹ filed on 23 April, 2002, via FAX.²

The petition is **GRANTED**.

Petitioner has shown that the non-signing inventor cannot be found or otherwise refused to join in the filing of the above-identified application.

The above-identified application and papers have been reviewed and found in compliance with 37 C.F.R. §1.47(a).

This application is hereby accorded Rule 1.47(a) status. As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration. Notice of the filing of this application will be published in the Official Gazette.

Telephone inquiries regarding this decision should be directed to the undersigned at (703)305-9199.

John J. Gillon, Jr.
Senior Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

¹ The regulations at 37 C.F.R. §1.47 provide:

§ 1.47 Filing when an inventor refuses to sign or cannot be reached.

(a) If a joint inventor refuses to join in an application for patent or cannot be found or reached after diligent effort, the application may be made by the other inventor on behalf of himself or herself and the nonsigning inventor. The oath or declaration in such an application must be accompanied by a petition including proof of the pertinent facts, the fee set forth in § 1.17(h), and the last known address of the nonsigning inventor. The nonsigning inventor may subsequently join in the application by filing an oath or declaration complying with § 1.63.

(c) The Office will send notice of the filing of the application to all inventors who have not joined in the application at the address(es) provided in the petition under this section, and publish notice of the filing of the application in the *Official Gazette*. The Office may dispense with this notice provision in a continuation or divisional application, if notice regarding the filing of the prior application was given to the nonsigning inventor(s).
[47 Fed. Reg. 41275, Sept. 17, 1982, effective Oct. 1, 1982; 48 Fed. Reg. 2709, Jan. 20, 1983, effective Feb. 27, 1983; revised, 62 Fed. Reg. 53131, Oct. 10, 1997, effective Dec. 1, 1997; revised, 65 Fed. Reg. 54604, Sept. 8, 2000, effective Nov. 7, 2000]

² A prior petition, filed on 7 March and incompletely supplemented on 21 March, 2002, was dismissed on 22 March, 2002 (Petitioner failed to state formally the last known address of the inventors). Pursuant to Petitioner's instruction, the \$130.00 petition fee is charged to Deposit Account 20-1430.